

# D R A F T

## SUMMARY

Creates temporary stay of eviction for certain low-income veterans.

Directs Department of Veterans' Affairs to maintain referral list of veterans' benefit programs that assist low income veterans in improving housing stability.

Directs circuit courts to report to Oregon Criminal Justice Commission annually regarding veteran evictions.

Takes effect on 91st day following adjournment sine die.

## A BILL FOR AN ACT

Relating to veterans; and prescribing an effective date.

**Be It Enacted by the People of the State of Oregon:**

**SECTION 1. Sections 2 and 3 of this 2019 Act are added to and made a part of ORS 105.105 to 105.168.**

**SECTION 2. (1) As used in this section:**

**(a) "Armed forces" means:**

**(A) The Army, Navy, Marine Corps, Air Force and Coast Guard of the United States;**

**(B) The reserve components of the Army, Navy, Marine Corps, Air Force and Coast Guard of the United States; and**

**(C) The Army National Guard and Air National Guard.**

**(b) "County veterans' service officer" means a county veterans' service officer appointed under ORS 408.410.**

**(c) "Veteran" means a person who served in the armed forces and was discharged or released under conditions other than dishonorable.**

**(2) In an action for nonpayment of rent under ORS 105.110, the**

1 court may stay the eviction of the defendant as provided in subsection  
2 (3) of this section only if:

- 3 (a) The defendant, or the spouse of the defendant, is a veteran;
- 4 (b) The agreed-upon rent does not exceed \$2,400 per month; and
- 5 (c) The premises are occupied chiefly for dwelling purposes by the  
6 defendant.

7 (3)(a) If the defendant claims to be a veteran at the defendant's  
8 initial appearance in the action, the court may stay the eviction of the  
9 defendant for up to three judicial days during which time the defend-  
10 ant shall produce documentation supporting the defendant's veteran  
11 status.

12 (b)(A) If the defendant produces documentation supporting the  
13 defendant's veteran status not more than three judicial days following  
14 the date of the defendant's first appearance in the action, the court  
15 may stay the eviction of the defendant for up to an additional 14 days.

16 (B) If the court stays the defendant's eviction under this paragraph,  
17 the court shall notify the defendant that the defendant may be eligible  
18 for veterans' benefit programs for low income housing stability and  
19 provide the defendant with contact information for the county  
20 veterans' service officer in the county of the dwelling.

21 (4) If the defendant cures the nonpayment notice by paying all de-  
22 linquent rent before trial, the court shall dismiss the action without  
23 costs to either party.

24 SECTION 3. (1) Each court in which an action under ORS 105.110  
25 may be filed shall report to the Oregon Criminal Justice Commission,  
26 no later than July 1 of each year, the frequency with which:

27 (a) A defendant asserts veteran status under section 2 of this 2019  
28 Act; and

29 (b) The court grants veteran defendants a stay of eviction under  
30 section 2 of this 2019 Act.

31 (2) The commission shall develop by rule the form for reporting the

1 **veteran eviction statistics under this section. In addition to the infor-**  
2 **mation identified in subsection (1) of this section, the form must in-**  
3 **clude:**

- 4 (a) **Relevant military service data about the veteran;**
- 5 (b) **Unless a veteran indicates an objection to reporting the infor-**  
6 **mation, the gender, gender identity, sexual orientation and race and**  
7 **ethnic information about the veteran;**
- 8 (c) **The pertinent factual background leading to the eviction pro-**  
9 **ceeding; and**
- 10 (d) **The disposition of the action.**

11 **(3) The report under this section may not include personally iden-**  
12 **tifiable information.**

13 **SECTION 4. (1) As used in this section:**

14 (a) **“County veterans’ service officer” means a county veterans’**  
15 **service officer appointed under ORS 408.410.**

16 (b) **“Veteran” has the meaning given that term in section 2 of this**  
17 **2019 Act.**

18 (2) **The Department of Veterans’ Affairs shall prepare written ma-**  
19 **terial, in print or electronic form, identifying veterans’ benefit pro-**  
20 **grams for low income housing stability in each county to which**  
21 **veterans may be referred.**

22 (3) **The department shall make the material described in subsection**  
23 **(2) of this section available on a website maintained by the department**  
24 **and shall also provide the material to the following entities for dis-**  
25 **tribution to veterans:**

- 26 (a) **County veterans’ service officers;**
- 27 (b) **Each court in which an action under ORS 105.110 may be filed;**  
28 **and**
- 29 (c) **Any veterans’ organizations identified by the department.**

30 (4) **The department shall provide annual training to county**  
31 **veterans’ service officers regarding the referral of veterans to**

1 **veterans' benefit programs for low income housing stability in each**  
2 **county.**

3 **SECTION 5. (1) Sections 1 to 4 of this 2019 Act become operative**  
4 **on January 1, 2020.**

5 **(2) The Oregon Criminal Justice Commission and the Department**  
6 **of Veterans' Affairs may take any action before the operative date**  
7 **specified in subsection (1) of this section that is necessary to enable**  
8 **the commission and the department to exercise, on and after the op-**  
9 **erative date specified in subsection (1) of this section, all the duties,**  
10 **functions and powers conferred on the commission and the department**  
11 **by sections 1 to 4 of this 2019 Act.**

12 **SECTION 6. This 2019 Act takes effect on the 91st day after the date**  
13 **on which the 2019 regular session of the Eightieth Legislative Assem-**  
14 **bly adjourns sine die.**

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